

Huron Potawatomi, Inc.

Nottawaseppi Huron Band of Potawatomi

2221 1-1/2 Mile Road • Fulton, Michigan 49052

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Resolution No. 11-06-07-02

Regarding: Recognition and Enforcement of Foreign Judgments - Ordinance

WHEREAS: On December 21, 1995 the Department of the Interior recognized the Nottawaseppi Huron Band of Potawatomi, also known as Huron Potawatomi, Inc. as a federally recognized Indian Tribe pursuant to the Federal Acknowledgment Process (60 Fed. Reg. 66315);

WHEREAS: Article X, of the Tribe's Constitution provides for the establishment of a separate Judiciary Branch of Government and Tribal Court System; and

WHEREAS: Article VI, Section 1 of the Tribe's Constitution provides that the legislative powers of the Tribe shall be vested in the Tribal Council; and

WHEREAS: This power includes the authority to promulgate and enforce ordinances; and

WHEREAS: The Tribal Court desires to provide for the recognition and enforcement of the judgments, decrees, orders, warrants, subpoenas, records and other judicial acts of foreign courts by the courts of this tribe; and

WHEREAS: The enactment of this ordinance shall provide reciprocity required by Michigan Court Rule 2.615 for recognition and enforcement by the courts of the State of Michigan of judgments, decrees, orders, warrants, subpoenas, records and other judicial acts of the courts of this Tribe; and

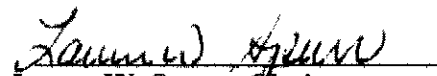
WHEREAS: This recognition of foreign judgments shall apply as well to other states and Indian tribes provided that the courts of other states and tribes, in view of the Tribal Court have provided or will provide reciprocal enforcement.

NOW THEREFORE BE IT RESOLVED: The Tribe Council adopts the Ordinance pertaining to Recognition and Enforcement of Foreign Judgments.

CERTIFICATION

On November 4 2007, this resolution was approved at a dully called Tribal Council meeting, a quorum being present by an affirmative vote 5 members, 0 opposing, 0 abstaining and 0 absent, this 6th day of November, 2007


RoAnn Beebe-Mohr, Secretary


Laura W. Spurr, Chairwoman

Nottawaseppi Huron Band of Potawatomi Indians

Recognition and Enforcement of Foreign Judgments

NHBPI Ordinance No. _____

Section 1. Title

This Ordinance shall be known as Recognition and Enforcement of Foreign Judgments.

Section 2. Purpose

The purpose of this Ordinance is to provide for the recognition and enforcement of the

judgments, decrees, orders, warrants, subpoenas, records and other judicial acts of foreign

courts by the courts of this Tribe. This enactment provides the reciprocity required by Michigan

Court Rule 2.615 for recognition and enforcement by the courts of the State of Michigan of

judgments, decrees, orders, warrants, subpoenas, records and other judicial acts of the

courts of this Tribe.

Section 3. Michigan Courts

The Tribal Court shall recognize and enforce the judgments, decrees, orders, warrants,

subpoenas, records, and other judicial acts of the courts of Michigan, and such process

from the courts of Michigan shall be presumed valid by the Tribal Court unless an objecting

party demonstrates that the:

(1) state court lacked personal or subject-matter jurisdiction, or

- (2) judgment, decree, warrant, subpoena, record or other judicial act was obtained (a) by fraud, duress, or coercion, (b) without reasonable notice or a fair hearing, (c) is repugnant to the public policy of the Tribe, or (d) is not final under the laws and procedure of the state court.

Section 4. Other Courts

This recognition of foreign judgments shall apply as well to the judgments, decrees, orders,

warrants, subpoenas, records, and other judicial acts of courts of other states and of other

Indian tribes; provided that the courts of such other states and tribes, in view of the Tribal

Court, have provided or will provide reciprocal enforcement of all Tribal Court judgments,

decrees, orders, warrants, subpoenas, records, and other judicial acts.

Section 5. Full Faith and Credit Exception

This Ordinance does not apply to judgments or orders that federal law requires be given full faith and credit.

Certificate of enactment of the Nottawaseppi Huron Band of Potawatomi Recognition and Enforcement of Foreign Judgments Statute

The foregoing Statute was duly enacted by the Nottawaseppi Huron Band of Potawatomi Tribal Council at a Tribal Council Meeting held November 6 2007.

Tribal Council Secretary Robert Beale-Mohr

Tribal Council Chair Louise Agnew